



Jean-Baptiste & Anne-Cécile Marchal

Letter to be distributed by the LBTH Licensing Authority

6 December 2023

Dear Mr Baptiste and Ms Marchal

**Foreman & Field - Premises Licence Application**

I hope that this letter finds you well.

The London Borough of Tower Hamlet's Licensing Authority has provided me with a copy of your representation in respect of our premises licence application. Thank you for taking the time to comment on our proposals. I would be most grateful for your consideration of this letter, which I hope will help to clarify the purpose of our application and address the concerns that you have raised.

As you may know, we are a world-renowned smoked salmon business started by my great grandfather in 1905. Our primary business is a gourmet food home delivery service. We are proud to source the finest foods from across the British Isles for our customers, including fish, meat, cheese and charcuterie.

About 10 years ago we restructured the company, switching from a limited liability partnership to a private limited company. Unbeknown to us, this caused our original premises licence to lapse. Despite paying the council annual licence fees every year, we were recently notified that we needed to submit a new premises licence application. The application simply proposes a new licence on the same terms as our original licence.

We historically used our licence to authorise the retail sale of a small amount of wine as part of our gourmet food delivery service. In addition, we occasionally hosted tours of our premises, events and a public restaurant where customers were able to enjoy a glass of wine alongside our food. Unfortunately, this all stopped during the Covid-19 pandemic, leaving our primary gourmet food delivery business to operate on its own.

Some of our historical events and restaurant use involved the use of the terrace. When this stopped the terrace fell into a state of disrepair. We undertook some remedial work earlier this year, which I understand may have caused some alarm.

For the avoidance of any doubt, we have absolutely no intention whatsoever of turning the terrace into a "beer garden" open all the time. Instead, when the weather allows, we would like to occasionally offer guests the opportunity to use the terrace, for example sparkling wine and canapes after our wedding or function. Although this was not restricted on a historical licence, I have readily agreed a new condition with the Tower Hamlet's environmental health officer that the terrace will be closed by 9.00 pm on the occasions we may decide to use it in the future.

I have also agreed further conditions with the council and police. In addition, I am happy to agree a number of the relevant conditions put forward in your representation. Please find enclosed document summarising the agreed conditions and comments alongside those conditions that are not strictly relevant to our proposals, in particular because our application does not include any proposal for recorded music, live music or any other regulated entertainment.

Finally, I would like to take this opportunity to update you on a significant investment we are making to upgrade our plant and machinery. Having considered feedback from our neighbours, we have decided to replace the older machinery with higher specification equipment. This will not only be more environmentally friendly but will operate more efficiently and quietly.

Thank you for your consideration of this letter. I do hope that it has helped to address your concerns. Please do not hesitate to contact me if you have any queries arising or would like to discuss our proposals further.

Yours sincerely

Lance Foreman

[lance@formans.co.uk](mailto:lance@formans.co.uk)

### Forman & Field Premises Licence Conditions

	Local Resident Proposed Condition	Applicant Comments
1.	No noise generated on the premises, or by its associated plan or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.	Agreed following condition with LBTH Environmental Protection Officer:  No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
2.	A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. a. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. b. The limiter shall not be altered without prior agreement with the Environmental Health Service. c. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. d. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.	This condition is only relevant if Regulated Entertainment is proposed. The application does not propose Regulated Entertainment.
3.	No loudspeakers will be located within 2 meters of the entrance doors or outside of the premises. They will be aimed low down and set in zones so that the sound will stay localised, and any music will not be audible outside or elsewhere in the building.	This condition is only relevant if Regulated Entertainment is proposed. The application does not propose Regulated Entertainment.
4.	No music will be played outside at any time.	This condition is only relevant if Regulated Entertainment is proposed. The application does not propose Regulated Entertainment.

	Local Resident Proposed Condition	Applicant Comments
5.	All windows and external doors shall be kept closed at all times including when regulated entertainment takes place, except for the immediate access and egress of persons.	This condition is only relevant if Regulated Entertainment is proposed. The application does not propose Regulated Entertainment.
6.	Notices shall be prominently displayed at all exits and in the smoking area requesting patrons to respect the needs of local residents and businesses, to keep noise to a minimum and to leave the area quietly and not to take any glass bottles off the premises.	<b><u>Agreed</u></b>
7.	Patrons permitted to temporarily leave and then re-enter the premises (e.g. to smoke) shall be limited to 8 persons at any one time. 80% of outside seating will be no smoking.	Agreed following condition with LBTH Environmental Protection Officer:  The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 10 persons at any one time.
8.	All patrons in the external area must be seated. The number of tables in the external area shall not exceed 12 tables.	The terrace is not in current use but may be used occasionally in the future until 21:00 hrs only. Guests attending private functions may stand on the terrace during these occasional functions.
9.	All external furniture shall be brought inside or locked out of use and all patrons dispersed from the outside area of the premises by 21:00 hours Sunday to Thursday and 21:30 hours on Friday and Saturday.	Agreed following condition with LBTH Environmental Protection Officer:  The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 10 persons at any one time.
10.	A suitable area shall be set aside for smokers to prevent their smoke causing nuisance to nearby occupiers.	<b><u>Agreed</u></b>
11.	Alcoholic drinks sold for consumption on the premises shall not be permitted to leave the premises (including the external area) at any time, including those leaving temporarily to smoke.	The terrace is not in current use but may be used occasionally in the future until 21:00 hrs only.

	Local Resident Proposed Condition	Applicant Comments
12.	Alcohol shall not be sold for the consumption off the premises after 22:30 on any day.	<u>Agreed</u>
13.	No late-night refreshment shall be sold for consumption off the premises after 23:00 on any day. Late-night refreshment sold after 23:00 on any day may only be consumed inside the premises.	<u>Agreed</u>
14.	On West Ham United match days at the London Stadium: a) There will be a “no football colours” shirt policy in force; b) Only biodegradable plastic cups will be in use; c) No bottled beers will be served; d) Appropriate Security Industry Authority (SIA) accredited staff will be on duty; e) No off-sale of alcohol will be allowed on match days.	The police do not require this condition. This condition may be appropriate for public bars more likely to be targeted by football fans. The premises primarily operates as a gourmet food delivery business with occasional access to general members of the public for smoke salmon and sparkling wine etc.
15.	There will be no disposal of refuse including glass bottles between 23:00 and 09:00, and no glass will be moved from one recycling receptable into another in any external area of the premises during these hours.	<u>Agreed</u>
16.	Deliveries related to the licensed activities shall not take place between the hours of 21:00 and 07:00.	<p>Agreed following conditions with LBTH Environmental Protection Officer:</p> <p>No idling of delivery vehicles outside the premises, no drivers shouting or raised voices, nor loud music/radios, whilst premise is in operation for the provisional of licensable activities.</p> <p>The premises licence holder will display notices requiring drivers of delivery vehicles not to leave vehicle engines idling outside the premises whilst the premises is in operation.</p> <p>The premises licence holder will display notices within their premises requesting that delivery drivers remain respectful of neighbours by keeping noise to a minimum</p>

	Local Resident Proposed Condition	Applicant Comments
		whilst waiting outside the premises to collect deliveries
17.	The area immediately outside the premises will be regularly cleaned to ensure that any litter generated by the premises or its customers is removed.	<u>Agreed</u>
18.	Telephone contact details of the Designated Premises Supervisor and the Duty Manager shall be provided to the residents upon request.	<u>Agreed</u>
19.	<p>The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team.</p> <p>a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.</p> <p>b. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.</p> <p>c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.</p> <p>d. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.</p>	<p>Agreed following condition with Police:</p> <p>The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.</p>
20.	A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.	<u>Agreed</u>
21.	Toilets will be checked frequently by staff members who will be trained in licensee's drugs awareness policies	The police do not require this condition. This condition may be appropriate for public bars / nightclubs. The premises primarily operates as a gourmet food delivery business with occasional access to general members of the

	Local Resident Proposed Condition	Applicant Comments
		public for smoke salmon and sparkling wine etc.
22.	The premises shall actively participate in the local pub watch	The police do not require this condition. This condition may be appropriate for public bars / nightclubs. The premises primarily operates as a gourmet food delivery business with occasional access to general members of the public for smoke salmon and sparkling wine etc.
23.	All exterior furniture shall be brought inside the premises or locked outside at 23:30 hrs daily.	The terrace is not in current use but may be used occasionally in the future until 21:00 hrs only.
24.	Patrons of the premises shall be encouraged, by signs within the premises visible at all exits points, to disperse from the area of the premises quietly and quickly.	<u>Agreed</u>
25.	Staff shall also supervise persons leaving the premises after closing time and where necessary, request that persons leaving the premises do so in a orderly manner as quickly as possible.	<u>Agreed</u>
26.	No disposal of refuse including glass bottles between 23:00 hrs and 09:00 hrs.	<u>Agreed</u>
27.	Prominent signage shall be displayed on the premises requesting patrons to leave in a quiet and orderly fashion and prohibiting the removal of bottles and gasses from the premises.	<u>Agreed</u>
28.	Children under the age of 16 shall be accompanied by an adult.	<u>Agreed</u>
29.	Soft and non-alcoholic drinks shall be available.	<u>Agreed</u>
30.	A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.	<u>Agreed</u>

	Local Resident Proposed Condition	Applicant Comments
31.	A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.	<u>Agreed</u>
32.	An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following: a) all crimes reported to the venue; b) all ejections of patrons; c) any complaints received concerning crime and disorder d) any incidents of disorder; e) all seizures of drugs or offensive weapons; f) any faults in the CCTV system, searching equipment or scanning equipment; g) any refusal of the sale of alcohol; h) any visit by a relevant authority or emergency service.	<u>Agreed</u>

**Complete list of Agreed Conditions:**

**Agreed with LBTH Environmental Protection Officer:**

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
2. The external area shall not be used after 21:00 hours, except for patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, and shall be limited to 10 persons at any one time.
3. No idling of delivery vehicles outside the premises, no drivers shouting or raised voices, nor loud music/radios, whilst premise is in operation for the provisional of licensable activities.
4. The premises licence holder will display notices requiring drivers of delivery vehicles not to leave vehicle engines idling outside the premises whilst the premises is in operation.



5. The premises licence holder will display notices within their premises requesting that delivery drivers remain respectful of neighbours by keeping noise to a minimum whilst waiting outside the premises to collect deliveries.

**Agreed with Police:**

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
  - a. all crimes reported to the venue;
  - b. all ejections of patrons;
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder;
  - e. all seizures of drugs or offensive weapons;
  - f. any faults in the CCTV system, searching equipment or scanning equipment;
  - g. any refusal of the sale of alcohol;
  - h. any visit by a relevant authority or emergency service.
9. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - a. the police (and, where appropriate, the London Ambulance Service) are called without delay;
  - b. all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
  - c. the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - d. such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
10. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record must show the outcome of the person who was intoxicated. The record shall be

available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.

**Additional Conditions Agreed with Local Residents:**

12. Notices shall be prominently displayed at all exits and in the smoking area requesting patrons to respect the needs of local residents and businesses, to keep noise to a minimum and to leave the area quietly and not to take any glass bottles off the premises.
13. A suitable area shall be set aside for smokers to prevent their smoke causing nuisance to nearby occupiers.
14. Alcohol shall not be sold for the consumption off the premises after 22:30 on any day.
15. No late-night refreshment shall be sold for consumption off the premises after 23:00 on any day. Late-night refreshment sold after 23:00 on any day may only be consumed inside the premises.
16. There will be no disposal of refuse including glass bottles between 23:00 and 09:00, and no glass will be moved from one recycling receptable into another in any external area of the premises during these hours.
17. The area immediately outside the premises will be regularly cleaned to ensure that any litter generated by the premises or its customers is removed.
18. Telephone contact details of the Designated Premises Supervisor and the Duty Manager shall be provided to the residents upon request.
19. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
20. Patrons of the premises shall be encouraged, by signs within the premises visible at all exits points, to disperse from the area of the premises quietly and quickly.
21. Staff shall also supervise persons leaving the premises after closing time and where necessary, request that persons leaving the premises do so in a orderly manner as quickly as possible.
22. No disposal of refuse including glass bottles between 23:00 hrs and 09:00 hrs.
23. Prominent signage shall be displayed on the premises requesting patrons to leave in a quiet and orderly fashion and prohibiting the removal of bottles and gasses from the premises.
24. Children under the age of 16 shall be accompanied by an adult.
25. Soft and non-alcoholic drinks shall be available.

26. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
27. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.